

<p><b>Certification of Mailing or Facsimile Transmission</b></p> <p>I hereby certify that I have reasonable basis to expect that, on the date shown below, this correspondence is being submitted as indicated below:</p> <p>( ) mailed or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450</p> <p>(X) facsimile transmitted to the U.S. Patent and Trademark Office via fax number 571-273-8300</p>	
Name	Registration No. (if applicable)
<i>Paula Durr</i>	
Signature	
September 8, 2005	Date

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**SEP 08 2005**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/719,600  
 Applicant(s) : Tim Jensen  
 Filed : November 21, 2003  
 Title : Tampon Having Recessed Portions  
 TC/A.U. : 3761  
 Examiner : Kidwell, Michele M.  
 Conf. No. : 3122  
 Docket No. : 9440Q  
 Customer No. : 27752

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER A PENDING APPLICATION**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

09/09/2005 MBINAS 00000026 162480 10719600

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Dear Sir:

The owner, The Procter & Gamble Company, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 and §173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application Number 10/719,785, filed on November 21, 2003. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the pending application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 and §173 of any patent granted on the said pending application, as the term of any patent granted on said application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending

application, in the event that any such patent granted on the pending application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney or agent of record.

Authorization is given to charge Deposit Account No. 16-2480 for the fee required under 37 C.F.R. §1.20 (d) of \$130.00 for submission of this Terminal Disclaimer. A duplicate copy of this correspondence is enclosed to facilitate charging of the fee.

Respectfully Submitted,

THE PROCTER & GAMBLE COMPANY

By

  
Signature

Roddy M. Bullock

Typed or Printed Name

Registration No. 37,290

(513) 634-0870

Date: September 8, 2005

Customer No. 27752

(Trmadisc.doc)

(Last revised 8/3/2005)